

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Re-Issue Application of

Carl L.C. Kah, III

Serial No.: 09/686,197

Filed: October 10, 2000

For: OPERATIONALLY CHANGEABLE MULTIPLE NOZZLES SPRINKLER



Date: November 19, 2008

Group Art Unit: 3752

Examiner: Davis D. Hwu

---

Mail Stop AF  
Commissioner for Patent  
P.O. Box 1450  
Alexandria, VA 22313-1450

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated May 19, 2008 of the Primary Examiner finally rejecting claims 1, 4-28, 30 and 31.

The Appeal Fee of \$270 (Small Entity) is

☐ Enclosed

☐ Not required (fee paid in prior appeal)

☒ Charge to Deposit Account No. 15-0700

If this communication is filed after the shortened statutory time period had elapsed and no separate Petition is enclosed, the Commissioner for Patents is petitioned, under 37 C.F.R. §1.136(a), to extend the time for filing a response by the number of months which will avoid abandonment under 37 C.F.R. §1.135. The fee under 37 C.F.R. § 1.17 should be charged to our Deposit Account No. 15-0700. In the event that the actual Appeal Fee is greater than the payment submitted herewith or is not enclosed, the Patent Office is authorized to charge the underpayment to Deposit Account No. 15-0700.

11/24/2008 HDESTA1 00000029 150700 09686197

02 FC:2401 270.00 DA

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on November 19, 2008

Keith J. Barkaus

Name of applicant, assignee or  
Registered Representative

  
Signature

Keith J. Barkaus

Date of Signature

DAM/KJB

Respectfully submitted,



Keith J. Barkaus

Registration No.: 51,431

OSTROLENK, FABER, GERB & SOFFEN, LLP

1180 Avenue of the Americas

New York, New York 10036-8403

Telephone: (212) 382-0700